

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY SMITH, *et al.*,

Plaintiffs,

v.

Case No. 21-cv-10672  
Hon. Matthew F. Leitman

CITY OF DETROIT, *et al.*,

Defendants.

/

---

**ORDER (1) DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (ECF No. 18); (2) GRANTING DEFENDANTS' MOTION TO AMEND/CORRECT RESPONSE TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (ECF No. 25); AND (3) GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (ECF No. 19)**

On March 9, 2023, the Court held a hearing over video conferencing to hear argument on the parties' Motions for Summary Judgment (ECF Nos. 18, 19), as well as Defendants' Motion to Amend their Response to Plaintiffs' Motion for Summary Judgment (ECF No. 25). For the reasons stated on the record during that hearing, Plaintiffs' Motion for Summary Judgment (ECF No. 18) is **DENIED**. Defendants' Motion to Amend/Correct Response to Plaintiff's Motion for Summary Judgment (ECF No. 25) is **GRANTED**. And Defendants' Motion for Summary Judgment (ECF No. 19) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- Defendants’ motion is **GRANTED** to the extent that Defendants seek summary judgment on all claims against the Detroit Police Department and Michael Duggan. Plaintiffs’ claims against those Defendants are **DISMISSED WITH PREJUDICE**.
- Defendants’ motion is **GRANTED** to the extent that Defendants seek summary judgment on Plaintiffs’ claims against Defendant James E. Craig for violation of the Americans With Disabilities Act (the “ADA”). The ADA claims against Defendant Craig are **DISMISSED WITH PREJUDICE**.
- Defendants’ motion is **DENIED** to the extent that Defendants seek summary judgment on Plaintiff Toron Crawford’s claims against Defendant James E. Craig and the City of Detroit under Michigan’s Persons With Disabilities Civil Rights Act (the “PDWCRA”). Those claims will be allowed to proceed.
- Defendants’ motion is **GRANTED** to the extent that Defendants seek summary judgment on Plaintiff Gregory Smith’s claims against all Defendants for violation of the PDWCRA. Those claims are **DISMISSED WITH PREJUDICE**.
- Defendants’ motion is **DENIED** to the extent that Defendants seek summary judgment on Plaintiffs’ claims against the City of Detroit for violation of the ADA. Those claims will be allowed to proceed.

In summary, the remaining claims to be considered at trial are (1) Plaintiffs' ADA claims against Defendant City of Detroit and (2) Plaintiff Toron Crawford's PWDCRA claims against Defendants City of Detroit and James E. Craig.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 9, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 9, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126